**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Civil Writ Petition No. 1210 of 2004 (M/S)**

Mool Chand Mittal .…….Petitioner

Versus

District Judge,
District Haridwar /Motor Accident
Clamis Tribunal & others ……. Respondents

Mr. Sharad Sharma, learned counsel or the petitioner.
Mr. Nan Prasad, learned Standing Counsel for respondent No. 1.

**Hon'ble Prafulla C. Pant, J.**

By means of this petition, moved under Article 226 read with Article 227 of the Constitution of India, the petitioner has sought writ in the nature of certiorari for quashing the impugned order dated 03.11.2004 passed by the respondent No. 1 in the Motor Accident Claims Petition No. 73 of 1995.

2) Heard learned counsel for the petitioner.

3) From the perusal of the record it appears that the claim petition before the Tribunal is pending for last nine years. It is also clear from the record that the said petition is on the verge of its disposal. Learned counsel for the petitioners submits that he moved an application No. 171 GA-2 before the learned Tribunal for framing the additional issue which was rejected by the Tribunal vide impugned order dated 03.11.2004. The additional issue sought to be framed by the petitioner (earlier owner of the vehicle) was that, whether at that time of technical inspection registration number of the vehicle with the engine number and chassis number was recorded or not, if so, its

effect? Since the claim petition is already lying for long nine years, this Court is not inclined to interfere or stay the proceeding of said petition. And in the circumstances, this writ petition is dismissed in limine with the observation that the learned Tribunal may consider the question raised as mentioned above by the petitioner at that time of the final arguments, if the claim petition is not already disposed of as on date.

**(Prafulla C. Pant, J.)**

Dt.: 18th November, 2004
H.Negi